

RELIGIOUS FREEDOM CONCERNS IN KAZAKHSTAN
ORAL STATEMENT BY THE RELIGIOUS CENTRE OF JEHOVAH'S WITNESSES IN
THE REPUBLIC OF KAZAKHSTAN

Presented to the OSCE HDIM, Warsaw, 29 September to 10 October 2008

In **Kazakhstan**, Jehovah's Witnesses in Atyrau have made eight unsuccessful attempts since May 2001 to obtain registration because of the frequent disruption of religious services by law enforcement agencies. This delay has resulted in a number of well-documented examples of human rights abuses, including fines in 2007 and 2008 of almost US\$500 against pensioners who met for prayer and Bible study. Indeed, since the beginning of 2008, there has been a noticeable rise of provocative and suppressing actions throughout the country.

We are saddened to report that in 2008, courts in Kazakhstan have suspended the religious activity of three registered communities of Jehovah's Witnesses in two regions of Kazakhstan. These governmental bans affect the daily lives of more than 2,000 Jehovah's Witnesses in Southern Kazakhstan and Kyzylorda Regions.

City of Kyzylorda, Kyzylorda Region: On March 22, 2008, police officers in the city of Kyzylorda entered a legally rented hall where Jehovah's Witnesses were celebrating the most sacred event of the year and began videotaping the proceeding. This led to a Court suspending the religious activity of the local community on May 13, 2008. Consequently, all religious activity of Jehovah's Witnesses in that region, including small meetings in private apartments, has been declared unlawful.

City of Shymkent, Southern Kazakhstan Region: All religious activity organized by the Shymkent Local Religious Organization is prohibited by Court decision. This is a daily restraint on the peaceful worship and assembly of two thousand Jehovah's Witnesses in Shymkent and other cities of the Southern Kazakhstan Region.

City of Saryagash, Southern Kazakhstan Region: On August 7, 2008, the Saryagash District Special Administrative Court heard the case and found the Saryagash Local Religious Organization guilty under Article 375.1 of the Code of Administrative Violations and imposed on it an administrative fine of 100 times the minimum wage, 116,800, tenges, and suspended its activity for the period of six months. On September 3, 2008, the Southern Kazakhstan Regional (Appeal) Court heard the appeal of this ruling, but denied the appeal and left the court ruling unchanged.

You will note that in the courts and in the media, prosecutors in Kazakhstan are claiming that religious events or activity outside the "place of registration" (legal address) of a registered religious community is prohibited by Article 375, part 1, of the Code of Administrative Violations.

This is not true. The Code of Administrative Violations of the Republic of Kazakhstan does not prohibit religious activity outside the legal address of a registered religious organization. The Code prohibits violation of the "regulations" for conducting religious activity outside the legal address of religious community. Obviously, because the Code refers to "regulations" for conducting religious events outside the legal address, then such events or activity is lawful as long as it does not violate the "regulations."

We appeal to the authorities of Kazakhstan *to take positive actions to resolve the registration problem in Atyrau and to stop illegal harassment and administrative prosecutions of peaceful Christians and their registered Local Religious Organizations in Kazakhstan under the guise of protection against extremism.* A delegation of Jehovah's Witnesses is ready to meet with representatives of Kazakhstan in order to clarify any misunderstanding and to promote a constructive dialogue.
